

Message Text

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ACTION EUR-12

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FM AMEMBASSY BERLIN
TO SECSTATE WASHDC 7306

CONFIDENTIAL BERLIN 03087

E.O. 11652: N/A

TAGS: CGEN, SCUL, CPRS, GE, US
SUBJECT: FEININGER PAINTINGS

REF: A) BERLIN 1923, B) BERLIN 2578, C) STATE 59751,
C) STATE 104251, E) BERLIN 3046

1. POL OFF MET WITH MFA USA DESK OFFICER ELM MAY THIRD AND RAISED QUESTION OF FEININGER PAINTINGS AND GDR PROPOSAL ON RETURN OF CULTURAL OBJECTS. ELM SAID HE COULD NOT CLARIFY FURTHER WHAT EXACTLY THE GDR HAD IN MIND BY AN AGREEMENT ON THE RETURN OF CULTURAL OBJECTS, EXPLAINING THAT HE WAS NOT THE AUTHOR OF THE MARCH 15 NOTE (REF A). ELM DID CONFIRM THAT THE ONLY CULTURAL OBJECTS IN THE U.S. AGAINST WHICH GDR WAS MAKING CLAIMS WERE THE DURERER PAINTINGS AND THE REICHS-POSTAL MUSEUM STAMPS. POL OFF EXPLAINED, AGAIN, PRESENT STATUS OF PAINTINGS AND STAMPS (REF C). IN CONNECTION WITH THE DURERER PAINTINGS, POL OFF STRESSED THAT THE USG WOULD NOT INTERFERE IN THE JUDICIAL PROCESS. ELM SUGGESTED THAT THERE WERE ALWAYS "LOOPOLES". POL OFF CAUTIONED AGAINST COUNTING ON LOOPOLES BUT STATED THAT IF THE COURTS DECIDED IN FAVOR OF THE GDR CLAIM, THEN THE PAINTINGS WOULD BE RETURNED TO THE GDR PROMPTLY.

2. ELM OBSERVED THAT DURING HIS VISIT TO U.S., MIN.

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OF CULTURE HOFFMANN WOULD BE AT A DINNER WITH SUPREME COURT CHIEF JUSTICE AND MIGHT RAISE ISSUE. IT WAS NOT CLEAR WHETHER ELM WAS BEING SERIOUS OR NOT. POL OFF POINTED OUT THAT U.S. SUPREME COURT HAD NOTHING TO DO WITH CASE AT THIS STAGE. AT CONCLUSION POL OFF RE-ITERATED U.S. INTEREST IN SEEING FEININGER PAINTINGS RETURNED TO THEIR PROPER OWNERS IN US.

3. IN LIGHT OF THE COMMENTS BY GRUNERT (REPORTED REF E),
POL OFF DID NOT PRESS ELM TOO STRONGLY ON FEININGER
PAINTINGS. IF GRUNERT IS CORRECT AND THERE IS AN
INTERNAL DIVISION WITHIN MFA, WE BELIEVE IT IS MORE
PRODUCTIVE NOT TO PRESSURE MFA FOR CLARIFICATION OF NOTE
AT THIS TIME BUT PRESS FOR EARLY RELEASE OF PAINTINGS
IN CONTEXT OF DRESDEN EXHIBIT. BOLEN

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